

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH ALAN SIERRA,
Plaintiff,

v.

DIRECTOR OF DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

No. 2: 16-cv-1067 MCE KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On May 5, 2017, the court denied plaintiff's application to proceed in forma pauperis and ordered plaintiff to pay the filing fee. (ECF No. 64.) This order is on appeal to the Ninth Circuit Court of Appeals.

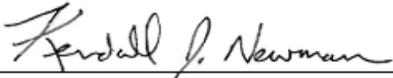
Plaintiff has three motions pending in this court: 1) motion for assignment of conflict counsel (ECF No. 56); 2) motion for an order to remove a false report (ECF No. 58); and 3) motion to extract records (ECF No. 60). Because the Ninth Circuit is considering plaintiff's appeal of the May 5, 2017 order, the pending motions described above are vacated without prejudice to their renewal following the decision of the Ninth Circuit.

///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for assignment of conflict counsel (ECF No. 56), motion for an order to remove false report (ECF No. 58) and motion to extract records (ECF No. 60) are vacated without prejudice.

Dated: October 2, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

Si1067.ord